IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.303 OF 2004
IN
SHORT CAUSE SUIT NO.1436 OF 1977

Rajkumar Gangaram Vijan & Anr. .. Plaintiffs

Vs.

Ganpat Harjivan & Ors. .. Defendants

Mr.S.Shah i/b M/s.Khona & Kayser for the applicants/ plaintiffs

Mr.S.Panicker for defendant no.9.

CORAM : S.U.KAMDAR, J

DATED : 6TH APRIL 2005

P.C.:

1. The present chamber summons is taken out for answering the accompanying interrogatories by the plaintiffs against the defendant no.1. Most of the questions which are asked in the schedule to the Chamber Summons are not in the nature of discovery by interrogatories but are more in the nature of cross-examination.

2. In the present suit, I find that question 1, 2, 4, 5, 9 are not in the nature of Interrogatories as contemplated under Order 11,

Rule 4 of C.P.C. In view thereof, I disallow the Interrogatories in respect of the aforesaid questions. So far as question of 1, 2, 4, 5, 9 are concerned the interrogatories in respect thereof is allowed to be administered. Defendant no.1 to file answers thereof by an affidavit within 2 weeks from today. The learned counsel for the applicant does not press for question no.6 and 7 as copy of leave and license agreement is already been furnished. Chamber summons disposed of accordingly. No order as to costs.